

Notice of Allowability

Application No.

10/676,266

Examiner

CUONG H. NGUYEN

Applicant(s)

KANG ET AL.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 11/07/06.
2. ☒ The allowed claim(s) is/are 1-12 and 15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 11/07/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

CUONG H. NGUYEN
Primary Examiner
Art Unit: 3661

DETAILED ACTION

1. This Office Action is the answer to the amendment received on 11/07/2006.
2. Claims 1-15 are pending in this application. Claims 13-14 are canceled.

Drawings

3. This application has been filed with 8 formal drawings which are acceptable.

Priority

4. Acknowledgment is made of applicants' claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed is Japanese Application# 2002-291891 (date 10/04/2002).

Allowable Subject Matter & Reason for Allowance

5. Independent claims 1, and 13 are considered non-obvious over A closest reference of Loffler (US Pat. 6,591,177) because this reference does not anticipate nor rendering obvious about disclosing an abnormal oil pressure reduction determination device and method for use with a transmission of a vehicle with an engine, the transmission having an oil pressure control mechanism which comprises and oil pump driven by a rotation of the engine and performs speed change control using oil pressure from the oil pump, the abnormal oil pressure reduction determination device, among other limitations, comprising a controller functions to:

- compute a lower limiting oil pressure which is possible in the vehicle running state, based on the rotation speed of the engine

Loffler doesn't indicate a micro-controller/computer that computes a lower limiting oil pressure (see the spec. of this invention, para. [0022]: "a microcomputer-based controller which sets an oil pressure command value for the oil pressure control

mechanism - [0022] The VDC unit 29 and the engine controller 21 are microcomputer-based controllers. Also, the CVT controller 20 included in the abnormal oil pressure reduction determination device comprises a microcomputer which is provided with a central processing unit (CPU) which executes programs, read-only memory (ROM) which stores programs and data, random access memory (RAM) which stores the computation result-of the CPU and acquired data temporarily, one or more timers for measuring time, and an input/output interface (I/O interface).); instead, he shows a general background of using an electronic transmission control calculates the correct gear and optimum pressure curves for gear shifts by means of adequate program modules.

Loffler also discloses in :“Brief Summary Text (2): Modern automatic transmissions work with an electronic transmission control (EGS) by means of which can be met criteria relevant to information an safety. The electronic transmission control which as a rule communicates with an engine control unit from the transmission motor and side of the vehicle. From the input signal and stored data such as gearshift characteristic lines for gears, tuning parameters for pressure calculation, engine engagement and time steps, the same as regulators and diagnosis parameters, the electronic transmission control calculates the correct gear and optimum pressure curves .

6. Dependent claims 2-12 are rejected because they inherit similar deficiency from their parent claim 1.

Conclusion

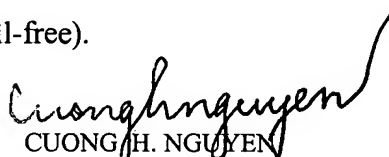
7. Claims 1-12, and 15 are patentable; claim 15 is renumbered as claim 13.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-

272-6759. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the examiner where this application is assigned is 571-273-6759.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CUONG H. NGUYEN
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